

<b>REQUEST FOR QUOTATION</b> (THIS IS NOT AN ORDER)			THIS RFQ <input type="checkbox"/> IS <input checked="" type="checkbox"/> IS NOT A SMALL BUSINESS SET-ASIDE		PAGE 1 OF 19 PAGES
1. REQUEST NO. N00253-04-Q-0109		2. DATE ISSUED 04 MAR 16		3. REQUISITION/PURCHASE REQUEST NO. 45000 40622172	
				4. CERT. FOR NAT. DEF. UNDER BDSA REG. 2 AND/OR DMS REG. 1 RATING DO-S	
5a. ISSUED BY SUPPLY OFFICER (CODE 182) NAVAL UNDERSEA WARFARE CTR, DK				6. DELIVER BY (Date) 04 APR 14	
5b. FOR INFORMATION CALL (NO COLLECT CALLS)				7. DELIVERY <input checked="" type="checkbox"/> FOB DESTINATION <input type="checkbox"/> OTHER (See Schedule)	
NAME 610 DOWELL ST KEYPORT, WA 98345-7610 VI PEERSON		TELEPHONE NUMBER AREA CODE NUMBER 360 396-2226 FAX: 360 396-7036		9. DESTINATION N00253	
8. TO:				a. NAME OF CONSIGNEE BUILDING 893 SUPPLY OFFICER NAVAL UNDERSEA WARFARE CTR, DK	
a. NAME		b. COMPANY		b. STREET ADDRESS 610 DOWELL ST	
c. STREET ADDRESS				c. CITY KEYPORT	
d. CITY		e. STATE		f. ZIP CODE WA 98345-7610	
10. PLEASE FURNISH QUOTATIONS TO THE ISSUING OFFICE IN BLOCK 5A ON OR BEFORE CLOSE OF BUSINESS (Date) 04 MAR 26			IMPORTANT: This is a request for information and quotations furnished are not offers. If you are unable to quote, please so indicate on this form and return it to the address in Block 5A. This request does not commit the Government to pay any costs incurred in the preparation of the submission of this quotation or to contract for supplies or services. Supplies are of domestic origin unless otherwise indicated by quote. Any representations and/or certifications attached to this Request for Quotations must be completed by the quote.		
11. SCHEDULE (Include applicable Federal, State and local taxes)					
ITEM NO. (a)	SUPPLIES/SERVICES (b)	QUANTITY (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)
0001	REQN. NO. 45000 /40622172 ITEM NAME: SERVICES DESCRIPTION OF WORK: CONTRACTOR SHALL PICK UP, TRANSPORT, AND DISPOSE OF LITHIUM CONTAMINATED MATERIALS GENERATED BY NAVAL UNDERSEA WARFARE CENTER (NUWC) DIVISION, KEYPORT, WASHINGTON IN ACCORDANCE WITH THE ATTACHED STATEMENT OF WORK.  SERVICE DATE REQUESTED: 14 APRIL 2004  FAX OR EMAIL BID RESPONSE TO:  VI PEERSON FAX: 360-396-7036 VPEERSON@KPT.NUWC.NAVY.MIL	30	EA		
12. DISCOUNT FOR PROMPT PAYMENT <input checked="" type="checkbox"/>		a. 10 CALENDAR DAYS (%)		b. 20 CALENDAR DAYS (%) c. 30 CALENDAR DAYS (%) d. CALENDAR DAYS NUMBER PERCENTAGE	
NOTE: Additional provisions and representations <input type="checkbox"/> are <input type="checkbox"/> are not attached					
13. NAME AND ADDRESS OF QUOTER			14. SIGNATURE OF PERSON AUTHORIZED TO SIGN QUOTATION		15. DATE OF QUOTATION
a. NAME OF QUOTER					
b. STREET ADDRESS			16. SIGNER		
c. COUNTY			a. NAME (Type or print)		b. TELEPHONE AREA CODE
d. CITY		e. STATE	f. ZIP CODE	c. TITLE (Type or print) NUMBER	

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Prescribed by GSA-FAR (48 CFR) 53.215-1(a)

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VENDOR:

SECTION C DESCRIPTION/SPECIFICATIONS

FAR 52.212-1 INSTRUCTIONS TO OFFERORS - COMMERCIAL ITEMS JAN 2004

FAR 52.212-2 EVALUATION - COMMERCIAL ITEMS JAN 1999

(a) THE GOVERNMENT WILL AWARD A CONTRACT RESULTING FROM THIS SOLICITATION TO THE RESPONSIBLE OFFEROR WHOSE OFFER CONFORMING TO THE SOLICITATION WILL BE MOST ADVANTAGEOUS TO THE GOVERNMENT, PRICE AND OTHER FACTORS CONSIDERED. THE FOLLOWING FACTORS SHALL BE USED TO EVALUATE OFFERS:

PRICE  
PAST PERFORMANCE

[CONTRACTING OFFICER SHALL INSERT THE SIGNIFICANT EVALUATION FACTORS, SUCH AS (i) TECHNICAL CAPABILITY OF THE ITEM OFFERED TO MEET THE GOVERNMENT REQUIREMENT; (ii) PRICE; (iii) PAST PERFORMANCE (SEE FAR 15.304); (iv) SMALL DISADVANTAGE BUSINESS PARTICIPATION; AND INCLUDE THEM IN THE RELATIVE ORDER OF IMPORTANCE OF THE EVALUATION FACTORS, SUCH AS IN DESCENDING ORDER OF IMPORTANCE.]

TECHNICAL AND PAST PERFORMANCE, WHEN COMBINED, ARE SLIGHTLY MORE IMPORTANT[CONTRACTING OFFICER STATE, IN ACCORDANCE WITH FAR 15.304, THE RELATIVE IMPORTANCE OF ALL OTHER EVALUATION FACTORS, WHEN COMBINED, WHEN COMPARED TO PRICE.]

(b) OPTIONS. THE GOVERNMENT WILL EVALUATE OFFERS FOR AWARD PURPOSES BY ADDING THE TOTAL PRICE FOR ALL OPTIONS TO THE TOTAL PRICE FOR THE BASIC REQUIREMENT. THE GOVERNMENT MAY DETERMINE THAT AN OFFER IS UNACCEPTABLE IF THE OPTION PRICES ARE SIGNIFICANTLY UNBALANCED. EVALUATION OF OPTIONS SHALL NOT OBLIGATE THE GOVERNMENT TO EXERCISE THE OPTION(S).

(c) A WRITTEN NOTICE OF AWARD OR ACCEPTANCE OF AN OFFER, MAILED OR OTHERWISE FURNISHED TO THE SUCCESSFUL OFFEROR WITHIN THE TIME FOR ACCEPTANCE SPECIFIED IN THE OFFER, SHALL RESULT IN A BINDING CONTRACT WITHOUT FURTHER ACTION BY EITHER PARTY. BEFORE THE OFFER'S SPECIFIED EXPIRATION TIME, THE GOVERNMENT MAY ACCEPT AN OFFER (OR PART OF AN OFFER), WHETHER OR NOT THERE ARE NEGOTIATIONS AFTER ITS RECEIPT, UNLESS A WRITTEN NOTICE OF WITHDRAWAL IS RECEIVED BEFORE AWARD.

FAR 52.212-3 OFFEROR REPRESENTATIONS AND CERTIFICATONS - COMMERCIAL ITEMS JAN 2004

(a) DEFINITIONS. AS USED IN THIS PROVISION:

"EMERGING SMALL BUSINESS" MEANS A SMALL BUSINESS CONCERN WHOSE SIZE IS NO GREATER THAN 50 PERCENT OF THE NUMERICAL SIZE STANDARD FOR THE NAICS CODE DESIGNATED.

"FORCED OR INDENTURED CHILD LABOR" MEANS ALL WORK OR SERVICE-

(1) EXACTED FROM ANY PERSON UNDER THE AGE OF 18 UNDER THE MENANCE OF ANY PENALTY FOR ITS NONPERFORMANCE AND FOR WHICH THE WORKER DOES NOT OFFER HIMSELF VOLUNTARILY; OR

(2) PERFORMED BY ANY PERSON UNDER THE AGE OF 18 PURSUANT TO A CONTRACT THE ENFORCEMENT OF WHICH CAN BE ACCOMPLISHED

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VENDOR:

SECTION C DESCRIPTION/SPECIFICATIONS

BY PROCESS OR PENALTIES.

"SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS CONCERN"-

(1) MEANS A SMALL BUSINESS CONCERN-

(i) NOT LESS THAN 51 PERCENT OF WHICH IS OWNED BY ONE OR MORE SERVICE-DISABLED VETERANS OR, IN THE CASE OF ANY PUBLICLY OWNED BUSINESS, NOT LESS THAN 51 PERCENT OF THE STOCK OF WHICH IS OWNED BY ONE OR MORE SERVICE-DISABLED VETERANS; AND

(ii) THE MANAGEMENT AND DAILY BUSINESS OPERATIONS OF WHICH ARE CONTROLLED BY ONE OR MORE SERVICE-DISABLED VETERANS OR, IN THE CASE OF A VETERAN WITH PERMANENT AND SEVERE DISABILITY, THE SPOUSE OR PERMANENT CAREGIVER OF SUCH VETERAN.

(2) SERVICE-DISABLED VETERAN MEANS A VETERAN, AS DEFINED IN 38 U.S.C. 101(2), WITH A DIABILITY THAT IS SERVICE-CONNECTED, AS DEFINED IN 38 U.S.C. 101(16).

"SMALL BUSINESS CONCERN" MEANS A CONCERN, INCLUDING ITS AFFILIATES, THAT IS INDEPENDENTLY OWNED AND OPERATED, NOT DOMINANT IN THE FIELD OF OPERATION, IN WHICH IT IS BIDDING ON GOVERNMENT CONTRACTS, AND QUALIFIED AS A SMALL BUSINESS UNDER THE CRITERIA IN 13 CFR PART 121 AND SIZE STANDARDS IN THIS SOLICITATION.

"VETERAN-OWNED SMALL BUSINESS CONCERNS" MEAN A SMALL BUSINESS CONCERN -

(1) NOT LESS THAN 51 PERCENT OF WHICH IS OWNED BY ONE OR MORE VETERANS (AS DEFINED AT 38 U.S.C. 101(2)) OR, IN THE CASE OF ANY PUBLICLY OWNED BUSINESS, NOT LESS THAN 51 PERCENT OF THE STOCK OF WHICH IS OWNED BY ONE OR MORE VETERANS; AND

(2) THE MANAGEMENT AND DAILY BUSINESS OPERATIONS OF WHICH ARE CONTROLLED BY ONE OR MORE VETERANS.

"WOMEN-OWNED BUSINESS CONCERN" MEANS A CONCERN WHICH IS AT LEAST 51 PERCENT OWNED BY ONE OR MORE WOMEN; OR IN THE CASE OF ANY PUBLICLY OWNED BUSINESS, AT LEAST 51 PERCENT OF ITS STOCK IS OWNED BY ONE OR MORE WOMEN; AND WHOSE MANAGEMENT AND DAILY BUSINESS OPERATIONS ARE CONTROLLED BY ONE OR MORE WOMEN.

"WOMEN-OWNED SMALL BUSINESS CONCERN" MEANS A SMALL BUSINESS CONCERN-

(1) THAT IS AT LEAST 51 PERCENT OWNED BY ONE OR MORE WOMEN; OR, IN THE CASE OF ANY PUBLICLY OWNED BUSINESS, AT LEAST 51 PERCENT OF THE STOCK OF WHICH IS OWNED BY ONE OR MORE WOMEN; AND

(2) WHOSE MANAGEMENT AND DAILY BUSINESS OPERATIONS ARE CONTROLLED BY ONE OR MORE WOMEN.

(b) TAXPAYER IDENTIFICATION NUMBER (TIN) (26 U.S.C. 6109, 31 U.S.C. 7701). (NOT APPLICABLE IF THE OFFEROR IS REQUIRED TO PROVIDE THIS INFORMATION TO A CENTRAL CONTRACTOR REGISTRATION DATABASE TO BE ELIGIBLE FOR AWARD.)

(1) ALL OFFERORS MUST SUBMIT THE INFORMATION REQUIRED IN PARAGRAPHS (b) (3) THROUGH (b) (5) OF THIS PROVISION TO COMPLY WITH DEBT COLLECTION REQUIREMENTS OF 31 U.S.C. 7701(c) AND 3325(d), REPORTING REQUIREMENTS OF 26 U.S.C. 6041, 6041A AND 6050M, AND IMPLEMENTING REGULATIONS ISSUED BY THE INTERNAL REVENUE SERVICE (IRS).

(2) THE TIN MAY BE USED BY THE GOVERNMENT TO COLLECT AND REPORT ON ANY DELINQUENT AMOUNTS ARISING OUT OF THE OFFEROR'S RELATIONSHIP WITH THE GOVERNMENT (31 U.S.C. 7701(c) (3)). IF THE RESULTING CONTRACT IS SUBJECT TO THE PAYMENT REPORTING REQUIREMENTS DESCRIBED IN FAR 4.904, THE TIN PROVIDED HEREUNDER MAY BE MATCHED WITH IRS RECORDS TO VERIFY THE ACCURACY OF THE OFFEROR'S TIN.

(3) TAXPAYER IDENTIFICATION NUMBER (TIN)

TIN: \_\_\_\_\_.

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SECTION C DESCRIPTION/SPECIFICATIONS

☐ TIN HAS BEEN APPLIED FOR.  
☐ TIN IS NOT REQUIRED BECAUSE:  
☐ OFFEROR IS A NONRESIDENT ALIEN, FOREIGN CORPORATION, OR FOREIGN PARTNERSHIP THAT DOES NOT HAVE INCOME EFFECTIVELY CONNECTED WITH THE CONDUCT OF A TRADE OR BUSINESS IN THE UNITED STATES AND DOES NOT HAVE AN OFFICE OR PLACE OF BUSINESS OR A FISCAL PAYING AGENT IN THE UNITED STATES;  
☐ OFFEROR IS AN AGENCY OR INSTRUMENTALITY OF A FOREIGN GOVERNMENT;  
☐ OFFEROR IS AN AGENCY OR INSTRUMENTALITY OF THE FEDERAL GOVERNMENT.

(4) TYPE OF ORGANIZATION:

☐ SOLE PROPRIETORSHIP;  
☐ PARTNERSHIP;  
☐ CORPORATE ENTITY (NOT TAX-EXEMPT);  
☐ CORPORATE ENTITY (TAX-EXEMPT);  
☐ GOVERNMENT ENTITY (FEDERAL, STATE, OR LOCAL);  
☐ FOREIGN GOVERNMENT;  
☐ INTERNATIONAL ORGANIZATION PER 26 CFR 1.6049-4;  
☐ OTHER \_\_\_\_\_

(5) COMMON PARENT.

☐ OFFEROR IS NOT OWNED OR CONTROLLED BY A COMMON PARENT;  
 NAME AND TIN OF COMMON PARENT:

NAME: \_\_\_\_\_

TIN: \_\_\_\_\_

(c) OFFERORS MUST COMPLETE THE FOLLOWING REPRESENTATIONS WHEN THE RESULTING CONTRACT IS TO BE PERFORMED INSIDE THE UNITED STATES, OR ITS OUTLYING AREAS. CHECK ALL THAT APPLY.

(1) SMALL BUSINESS CONCERN. THE OFFEROR REPRESENTS AS PART OF ITS OFFER THAT IT \_\_\_\_\_ IS, \_\_\_\_\_ IS NOT A SMALL BUSINESS CONCERN.

(2) VETERAN-OWNED SMALL BUSINESS CONCERN. [COMPLETE ONLY IF THE OFFEROR REPRESENTED ITSELF AS A SMALL BUSINESS CONCERN IN PARAGRAPH (c) (1) OF THE PROVISION.] THE OFFEROR REPRESENTS AS PART OF ITS OFFER THAT IT \_\_\_\_\_ IS, \_\_\_\_\_ IS NOT A VETERAN OWNED SMALL BUSINESS CONCERN.

(3) SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS CONCERN. [COMPLETE ONLY IF THE OFFEROR REPRESENTED ITSELF AS A VETERAN-OWNED SMALL BUSINESS CONCERN IN PARAGRAPH (c) (2) OF THIS PROVISION.] THE OFFEROR REPRESENTS AS PART OF ITS OFFER THAT IT \_\_\_\_\_ IS, \_\_\_\_\_ IS NOT A SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS CONCERN.

(4) SMALL DISADVANTAGE BUSINESS CONCERN. [COMPLETE ONLY IF THE OFFEROR REPRESENTED ITSELF AS A SMALL BUSINESS CONCERN IN PARAGRAPH (c) (1) OF THIS PROVISION.] THE OFFEROR REPRESENTS, FOR GENERAL STATISTICAL PURPOSES, THAT IT \_\_\_\_\_ IS, \_\_\_\_\_ IS NOT A SMALL DISADVANTAGED BUSINESS CONCERN AS DEFINED IN 13 CFR 124.1002.

(5) WOMEN-OWNED SMALL BUSINESS CONCERN. [COMPLETE ONLY IF THE OFFEROR REPRESENTED ITSELF AS A SMALL BUSINESS CONCERN IN PARAGRAPH (c) (1) OF THIS PROVISION.] THE OFFEROR REPRESENTS THAT IT \_\_\_\_\_ IS, \_\_\_\_\_ IS NOT A WOMEN-OWNED SMALL BUSINESS CONCERN.

NOTE: COMPLETE PARAGRAPHS (c) (6) AND (c) (7)  
 ONLY IF THIS SOLICITATION IS EXPECTED TO  
 EXCEED THE SIMPLIFIED ACQUISITION THRESHOLD.

(6) WOMEN-OWNED BUSINESS CONCERN (OTHER THAN SMALL BUSINESS CONCERN). [COMPLETE ONLY IF THE OFFEROR IS A WOMEN-OWNED BUSINESS CONCERN AND DID NOT REPRESENT ITSELF AS A SMALL

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BUSINESS CONCERN IN PARAGRAPH (c) (1) OF THIS PROVISION.] THE OFFEROR REPRESENTS THAT IT \_\_\_\_ IS A WOMEN-OWNED BUSINESS CONCERN.

(7) TIE BID PRIORITY FOR LABOR SURPLUS AREA CONCERNS. IF THIS IS AN INVITATION FOR BID, SMALL BUSINESS OFFERORS MAY IDENTIFY THE LABOR SURPLUS AREAS IN WHICH COSTS TO BE INCURRED ON ACCOUNT OF MANUFACTURING OR PRODUCTION (BY OFFEROR OR FIRST-TIER SUBCONTRACTORS) AMOUNT TO MORE THAN 50 PERCENT OF THE CONTRACT PRICE:

(8) SMALL BUSINESS SIZE FOR THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM AND FOR THE TARGETED INDUSTRY CATEGORIES UNDER THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM. [COMPLETE ONLY IF THE OFFEROR HAS REPRESENTED ITSELF TO BE A SMALL BUSINESS CONCERN UNDER THE SIZE STANDARDS FOR THIS SOLICITATION].

(i) [COMPLETE ONLY FOR SOLICITATIONS INDICATED IN AN ADDENDUM AS BEING SET-ASIDE FOR EMERGING SMALL BUSINESSES IN ONE OF THE FOUR DESIGNATED INDUSTRY GROUPS (DIGS).] THE OFFEROR REPRESENTS AS PART OF ITS OFFER THAT IT \_\_\_\_ IS, IS NOT AN EMERGING SMALL BUSINESS.

(ii) [COMPLETE ONLY FOR SOLICITATIONS INDICATED IN AN ADDENDUM AS BEING FOR ONE OF THE TARGETED INDUSTRY CATEGORIES (TICS) OR FOUR DESIGNATED INDUSTRY GROUPS (DIGS).] OFFEROR REPRESENTS AS FOLLOWS:

(A) OFFEROR'S NUMBER OF EMPLOYEES FOR THE PAST 12 MONTHS (CHECK THE EMPLOYEES COLUMN IF SIZE STANDARD STATED IN THE SOLICITATION IS EXPRESSED IN TERMS OF NUMBER OF EMPLOYEES); OR

(B) OFFEROR'S AVERAGE ANNUAL GROSS REVENUE FOR THE LAST 3 FISCAL YEARS (CHECK THE AVERAGE ANNUAL GROSS NUMBER OF REVENUES COLUMN IF SIZE STANDARD STATED IN THE SOLICITATION IS EXPRESSED IN TERMS OF ANNUAL RECEIPTS). (CHECK ONE OF THE FOLLOWING):

NUMBER OF EMPLOYEES	AVERAGE ANNUAL GROSS REVENUES
____ 50 OR FEWER	____ \$1 MILLION OR LESS
____ 51-100	____ \$1,000,001-\$2 MILLION
____ 101-250	____ \$2,000,001-\$3.5 MILLION
____ 251-500	____ \$3,500,001-\$5 MILLION
____ 501-750	____ \$5,000,001-\$10 MILLION
____ 751-1,000	____ \$10,000,001-\$17 MILLION
____ OVER 1,000	____ OVER \$17 MILLION

(9) [COMPLETE ONLY IF THE SOLICITATION CONTAINS THE CLAUSE AT FAR 52.219-23, NOTICE OF PRICE EVALUATION ADJUSTMENT FOR SMALL DISADVANTAGED BUSINESS CONCERNS, OR FAR 52.219-25, SMALL DISADVANTAGED BUSINESS PARTICIPATION PROGRAM-DISADVANTAGED STATUS AND REPORTING, AND THE OFFEROR DESIRES A BENEFIT BASED ON ITS DISADVANTAGED STATUS.]

(i) GENERAL. THE OFFEROR REPRESENTS THAT EITHER-  
 (A) IT \_\_\_\_ IS, \_\_\_\_ IS NOT CERTIFIED BY THE SMALL BUSINESS ADMINISTRATION AS A SMALL DISADVANTAGED BUSINESS CONCERN AND IDENTIFIED, ON THE DATE OF THIS REPRESENTATION, AS A CERTIFIED SMALL DISADVANTAGED BUSINESS CONCERN IN THE DATABASE MAINTAINED BY THE SMALL BUSINESS ADMINISTRATION (PRO-NET), AND THAT NO MATERIAL CHANGE IN DISADVANTAGED OWNERSHIP AND CONTROL HAS OCCURRED SINCE ITS CERTIFICATION, AND, WHERE THE CONCERN IS OWNED BY ONE OR MORE INDIVIDUALS CLAIMING

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SECTION C DESCRIPTION/SPECIFICATIONS

DISADVANTAGED STATUS, THE NET WORTH OF EACH INDIVIDUAL UPON WHOM THE CERTIFICATION IS BASED DOES NOT EXCEED \$750,000 AFTER TAKING INTO ACCOUNT THE APPLICABLE EXCLUSIONS SET FORTH AT: 13 CFR 124.104(c)(2); OR

(B) IT \_\_\_\_\_ HAS, \_\_\_\_\_ HAS NOT SUBMITTED A COMPLETED APPLICATION TO THE SMALL BUSINESS ADMINISTRATION OR A PRIVATE CERTIFIER TO BE CERTIFIED AS A SMALL DISADVANTAGED BUSINESS CONCERN IN ACCORDANCE WITH 13 CFR 124, SUBPART B, AND A DECISION ON THAT APPLICATION IS PENDING, AND THAT NO MATERIAL CHANGE IN DISADVANTAGED OWNERSHIP AND CONTROL HAS OCCURRED SINCE ITS APPLICATION WAS SUBMITTED.

(ii) JOINT VENTURES UNDER THE PRICE EVALUATION ADJUSTMENT FOR SMALL DISADVANTAGED BUSINESS CONCERNS. THE OFFEROR REPRESENTS, AS PART OF ITS OFFER, THAT IT IS A JOINT VENTURE THAT COMPLIES WITH THE REQUIREMENTS IN 13 CFR 124.1002(f) AND THAT THE REPRESENTATION IN PARAGRAPH (c)(9)(i) OF THIS PROVISION IS ACCURATE FOR THE SMALL DISADVANTAGED BUSINESS CONCERN THAT IS PARTICIPATING IN THE JOINT VENTURE. [THE OFFEROR SHALL ENTER THE NAME OF THE SMALL DISADVANTAGED BUSINESS CONCERN THAT IS PARTICIPATING IN THE JOINT VENTURE: \_\_\_\_\_.]

(10) HUBZONE SMALL BUSINESS CONCERN. [COMPLETE ONLY IF THE OFFEROR REPRESENTS ITSELF AS A SMALL BUSINESS CONCERN IN PARAGRAPH (c)(1) OF THIS PROVISION.] THE OFFEROR REPRESENTS, AS PART OF ITS OFFER, THAT-

(i) IT \_\_\_\_\_ IS, \_\_\_\_\_ IS NOT A HUBZONE SMALL BUSINESS CONCERN LISTED, ON THE DATE OF THIS REPRESENTATION, ON THE LIST OF QUALIFIED HUBZONE SMALL BUSINESS CONCERNS MAINTAINED BY THE SMALL BUSINESS ADMINISTRATION, AND NO MATERIAL CHANGE IN OWNERSHIP AND CONTROL, PRINCIPAL OFFICE, OR HUBZONE EMPLOYEE PERCENTAGE HAS OCCURRED SINCE IT WAS CERTIFIED BY THE SMALL BUSINESS ADMINISTRATION IN ACCORDANCE WITH 13 CFR PART 126; AND

(ii) IT \_\_\_\_\_ IS, \_\_\_\_\_ IS NOT A JOINT VENTURE THAT COMPLIES WITH THE REQUIREMENTS OF 13 CFR PART 126, AND THE REPRESENTATION IN PARAGRAPH (c)(10)(i) OF THIS PROVISION IS ACCURATE FOR THE HUBZONE SMALL BUSINESS CONCERN OR CONCERNS THAT ARE PARTICIPATING IN THE JOINT VENTURE. [THE OFFEROR SHALL ENTER THE NAME OR NAMES OF THE HUBZONE SMALL BUSINESS CONCERN OR CONCERNS THAT ARE PARTICIPATING IN THE JOINT VENTURE: \_\_\_\_\_.] EACH HUBZONE SMALL BUSINESS CONCERN PARTICIPATING IN THE JOINT VENTURE SHALL SUBMIT A SEPARATE SIGNED COPY OF THE HUBZONE REPRESENTATION.

(d) REPRESENTATIONS REQUIRED TO IMPLEMENT PROVISIONS OF EXECUTIVE ORDER 11246-(1) PREVIOUS CONTRACTS AND COMPLIANCE. THE OFFEROR REPRESENTS THAT -

(i) IT \_\_\_\_\_ HAS, \_\_\_\_\_ HAS NOT PARTICIPATED IN A PREVIOUS CONTRACT OR SUBCONTRACT SUBJECT TO THE EQUAL OPPORTUNITY CLAUSE OF THIS SOLICITATION; AND

(ii) IT \_\_\_\_\_ HAS, \_\_\_\_\_ HAS NOT FILED ALL REQUIRED COMPLIANCE REPORTS.

(2) AFFIRMATIVE ACTION COMPLIANCE. THE OFFEROR REPRESENTS THAT-

(i) IT \_\_\_\_\_ HAS DEVELOPED AND HAS ON FILE, \_\_\_\_\_ HAS NOT DEVELOPED AND DOES NOT HAVE ON FILE, AT EACH ESTABLISHMENT, AFFIRMATIVE ACTION PROGRAMS REQUIRED BY RULES AND REGULATIONS OF THE SECRETARY OF LABOR (41 CFR PARTS 60-1 AND 60-2), OR

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(ii) IT \_\_\_\_\_ HAS NOT PREVIOUSLY HAD CONTRACTS SUBJECT TO THE RULES AND REGULATIONS OF THE SECRETARY OF LABOR.

(e) CERTIFICATION REGARDING PAYMENTS TO INFLUENCE FEDERAL TRANSACTIONS (31 U.S.C. 1352). (APPLIES ONLY IF THE CONTRACT IS EXPECTED TO EXCEED \$100,000.) BY SUBMISSION OF ITS OFFER, THE OFFEROR CERTIFIES TO THE BEST OF ITS KNOWLEDGE AND BELIEF THAT NO FEDERAL APPROPRIATED FUNDS HAVE BEEN PAID OR WILL BE PAID TO ANY PERSON FOR INFLUENCING OR ATTEMPTING TO INFLUENCE AN OFFICER OR EMPLOYEE OF ANY AGENCY, A MEMBER OF CONGRESS, AN OFFICER OR EMPLOYEE OF CONGRESS OR AN EMPLOYEE OF A MEMBER OF CONGRESS ON HIS OR HER BEHALF IN CONNECTION WITH THE AWARD OF ANY RESULTANT CONTRACT.

(f) BUY AMERICAN ACT CERTIFICATE. (APPLIES ONLY IF THE CLAUSE AT FAR 52.225-1, BUY AMERICAN ACT-BALANCE OF PAYMENTS PROGRAM-SUPPLIES, IS INCLUDED IN THIS SOLICITATION.)

(1) THE OFFEROR CERTIFIES THAT EACH END PRODUCT, EXCEPT THOSE LISTED IN PARAGRAPH (f)(2) OF THIS PROVISION, IS A DOMESTIC END PRODUCT AND THAT THE OFFEROR HAS CONSIDERED COMPONENTS OF UNKNOWN ORIGIN TO HAVE BEEN MINED, PRODUCED, OR MANUFACTURED OUTSIDE THE UNITED STATES. THE OFFEROR SHALL LIST AS FOREIGN END PRODUCTS THOSE END PRODUCTS MANUFACTURED IN THE UNITED STATES THAT DO NOT QUALIFY AS DOMESTIC END PRODUCTS. THE TERMS "COMPONENT," "DOMESTIC END PRODUCT," "END PRODUCT," "FOREIGN END PRODUCT" AND "UNITED STATES" ARE DEFINED IN THE CLAUSE OF THIS SOLICITATION ENTITLED "BUY AMERICAN ACT-SUPPLIES."

(2) FOREIGN END PRODUCTS:

LINE ITEM NO	COUNTRY OF ORIGIN
_____	_____
_____	_____
_____	_____

[LIST AS NECESSARY]

(3) THE GOVERNMENT WILL EVALUATE OFFERS IN ACCORDANCE WITH THE POLICIES AND PROCEDURES OF FAR PART 25.

(g)(1) BUY AMERICAN ACT-FREE TRADE AGREEMENTS- ISRAELI TRADE ACT CERTIFICATE. ALTERNATE I (JAN 04) (APPLIES ONLY IF THE CLAUSE AT FAR 52.225-3, BUY AMERICAN ACT-NORTH AMERICAN FREE TRADE AGREEMENT-ISRAELI TRADE ACT, IS INCLUDED IN THIS SOLICITATION.)

(i) THE OFFEROR CERTIFIES THAT EACH END PRODUCT, EXCEPT THOSE LISTED IN PARAGRAPH (g)(1)(ii) OR (g)(1)(iii) OF THIS PROVISION, IS A DOMESTIC END PRODUCT AND THAT THE OFFEROR HAS CONSIDERED COMPONENTS OF UNKNOWN ORIGIN TO HAVE BEEN MINED, PRODUCED, OR MANUFACTURED OUTSIDE THE UNITED STATES. THE TERMS "COMPONENT," "DOMESTIC END PRODUCT," "END PRODUCT," "FOREIGN END PRODUCT," AND "UNITED STATES" ARE DEFINED IN THE CLAUSE OF THIS SOLICITATION ENTITLED "BUY AMERICAN ACT-FREE TRADE AGREEMENT- ISRAELI TRADE ACT"

(ii) THE OFFEROR CERTIFIES THAT THE FOLLOWING SUPPLIES ARE FTA COUNTRY END PRODUCTS OR ISRAELI END PRODUCTS AS DEFINED IN THE CLAUSE OF THIS SOLICITATION ENTITLED "BUY AMERICAN ACT-FREE TRADE AGREEMENTS -ISRAELI TRADE ACT";

FTA COUNTRY OR ISRAELI END PRODUCTS:	
LINE ITEM NO.	COUNTRY OF ORIGIN
_____	_____
_____	_____

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SECTION C DESCRIPTION/SPECIFICATIONS

(LIST AS NECESSARY)

(iii) THE OFFEROR SHALL LIST THOSE SUPPLIES THAT ARE FOREIGN END PRODUCTS (OTHER THAN THOSE LISTED IN PARAGRAPH (g)(1)(ii) OF THIS PROVISION) AS DEFINED IN THE CLAUSE OF THIS SOLICITATION ENTITLED "BUY AMERICAN ACT-FREE TRADE AGREEMENTS - ISRAELI TRADE ACT." THE OFFEROR SHALL LIST AS OTHER FOREIGN END PRODUCTS THOSE END PRODUCTS MANUFACTURED IN THE UNITED STATES THAT SO NOT QUALIFY AS DOMESTIC END PRODUCTS.

OTHER FOREIGN END PRODUCTS:  
 LINE ITEM NO. COUNTRY OF ORIGIN

[LIST AS NECESSARY]

(iv) THE GOVERNMENT WILL EVALUATE OFFERS IN ACCORDANCE WITH THE POLICIES AND PROCEDURES OF FAR PART 25.

(2) BUY AMERICAN ACT-FREE TRADE AGREEMENTS- ISRAELI TRADE ACT CERTIFICATE, ALTERNATE I (JAN 2004). IF ALTERNATE I TO THE CLAUSE AT FAR 52.225-3 IS INCLUDED IN THIS SOLICITATION, SUBSTITUTE THE FOLLOWING PARAGRAPH (g)(1)(ii) FOR PARAGRAPH (g)(1)(ii) OF THE BASIC PROVISION:

(g)(1)(ii) THE OFFEROR CERTIFIES THAT THE FOLLOWING SUPPLIES ARE CANADIAN END PRODUCTS AS DEFINED IN THE CLAUSE OF THIS SOLICITATION ENTITLED "BUY AMERICAN ACT-FREE TRADE AGREEMENTS- ISRAELI TRADE ACT":

CANADIAN END PRODUCTS:

LINE ITEM NUMBER

[LIST AS NECESSARY]

(3) BUY AMERICAN ACT-FREE TRADE AGREEMENTS- ISRAELI TRADE ACT CERTIFICATE, ALTERNATE II (JAN 2004). IF ALTERNATE II TO THE CLAUSE AT FAR 52.225-3 IS INCLUDED IN THIS SOLICITATION, SUBSTITUTE THE FOLLOWING PARAGRAPH (g)(1)(ii) FOR PARAGRAPH (g)(1)(ii) OF THE BASIC PROVISION:

(g)(1)(ii) THE OFFEROR CERTIFIES THAT THE FOLLOWING SUPPLIES ARE CANADIAN END PRODUCTS OR ISRAELI END PRODUCTS AS DEFINED IN THE CLAUSE OF THIS SOLICITATION ENTITLED "BUY AMERICAN ACT-FREE TRADE AGREEMENT- ISRAELI TRADE ACT":

CANADIAN OR ISRAELI END PRODUCTS:

LINE ITEM NO. COUNTRY OF ORIGIN

[LIST AS NECESSARY]

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(4) TRADE AGREEMENTS CERTIFICATE. (APPLIES ONLY IF THE CLAUSE AT FAR 52.225-5, TRADE AGREEMENTS, IS INCLUDED IN THIS SOLICITATION.)

(i) THE OFFEROR CERTIFIES THAT EACH PRODUCT, EXCEPT THOSE LISTED IN PARAGRAPH (g)(4)(ii) OF THIS PROVISION, IS A U.S.-MADE, DESIGNATED COUNTRY, CARIBBEAN BASIN COUNTRY, OR NAFTA COUNTRY END PRODUCT, AS DEFINED IN THE CLAUSE OF THIS SOLICITATION ENTITLED "TRADE AGREEMENTS."

(ii) THE OFFEROR SHALL LIST AS OTHER END PRODUCTS THOSE END PRODUCTS THAT ARE NOT U.S.-MADE, DESIGNATED COUNTRY, CARIBBEAN BASIN COUNTRY, OR NAFTA COUNTRY END PRODUCTS. \_\_\_\_\_

OTHER END PRODUCTS:

LINE ITEM NO.	COUNTRY OF ORIGIN
_____	_____
_____	_____
_____	_____

[LIST AS NECESSARY]

(iii) THE GOVERNMENT WILL EVALUATE OFFERS IN ACCORDANCE WITH THE POLICIES AND PROCEDURES OF FAR PART 25. FOR LINE ITEMS SUBJECT TO THE TRADE AGREEMENTS ACT, THE GOVERNMENT WILL EVALUATE OFFERS OF U.S.-MADE, DESIGNATED COUNTRY, CARIBBEAN BASIN COUNTRY OR NAFTA COUNTRY END PRODUCTS WITHOUT REGARD TO THE RESTRICTIONS OF THE BUY AMERICAN ACT. THE GOVERNMENT WILL CONSIDER FOR AWARD ONLY OFFERS OF U.S.-MADE, DESIGNATED CARIBBEAN BASIN COUNTRY, OR NAFTA COUNTRY END PRODUCTS UNLESS THE CONTRACTING OFFICER DETERMINES THAT THERE ARE NO OFFERS FOR SUCH PRODUCTS OR THAT THE OFFERS FOR SUCH PRODUCTS ARE INSUFFICIENT TO FULFILL THE REQUIREMENTS OF THIS SOLICITATION.

(h) CERTIFICATE REGARDING DEBARMENT, SUSPENSION OR INELIGIBILITY FOR AWARD (EXECUTIVE ORDER 12549). (APPLIES ONLY IF THE CONTRACT VALUE IS EXPECTED TO EXCEED THE SIMPLIFIED ACQUISITION THRESHOLD.) THE OFFEROR CERTIFIES, TO THE BEST OF ITS KNOWLEDGE AND BELIEF, THAT THE OFFEROR AND/OR ANY OF ITS PRINCIPALS-

(1) \_\_\_\_\_ ARE, \_\_\_\_\_ ARE NOT PRESENTLY DEBARRED, SUSPENDED, PROPOSED FOR DEBARMENT, OR DECLARED INELIGIBLE FOR THE AWARD OF CONTRACTS BY ANY FEDERAL AGENCY; AND

(2) \_\_\_\_\_ HAVE, \_\_\_\_\_ HAVE NOT, WITHIN A THREE-YEAR PERIOD PRECEDING THIS OFFER, BEEN CONVICTED OF OR HAD A CIVIL JUDGMENT RENDERED AGAINST THEM FOR: COMMISSION OF FRAUD OR A CRIMINAL OFFENSE IN CONNECTION WITH OBTAINING, ATTEMPTING TO OBTAIN, OR PERFORMING A FEDERAL, STATE, OR LOCAL GOVERNMENT CONTRACT OR SUBCONTRACT; VIOLATION OF FEDERAL OR STATE ANTITRUST STATUTES RELATING TO THE SUBMISSION OF OFFERS; OR COMMISSION OF EMBEZZLEMENT, THEFT, FORGERY, BRIBERY, FALSIFICATION OR DESTRUCTION OF RECORDS, MAKING FALSE STATEMENTS, TAX EVASION, OR RECEIVING STOLEN PROPERTY; AND

(3) \_\_\_\_\_ ARE, \_\_\_\_\_ ARE NOT PRESENTLY INDICTED FOR, OR OTHERWISE CRIMINALLY OR CIVILLY CHARGED BY A GOVERNMENT ENTITY WITH, COMMISSION OF ANY OF THESE OFFENSES.

(i) CERTIFICATION REGARDING KNOWLEDGE OF CHILD LABOR FOR LISTED END PRODUCTS (EXECUTIVE ORDER 13126). [THE CONTRACTING OFFICER MUST LIST IN PARAGRAPH (i)(1) ANY END PRODUCTS BEING

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ACQUIRED UNDER THIS SOLICITATION THAT ARE INCLUDED IN THE LIST OF PRODUCTS REQUIRING CONTRACTOR CERTIFICATION AS TO FORCED OR INDENTURED CHILD LABOR, UNLESS EXCLUDED AT FAR 22.1503(b).]

(1) LISTED END PRODUCTS.

LISTED END PRODUCT	LIST OF COUNTRIES OF ORIGIN

(2) CERTIFICATION. [IF THE CONTRACTING OFFICER HAS IDENTIFIED END PRODUCTS AND COUNTRIES OF ORIGIN IN PARAGRAPH (i)(1) OF THIS PROVISION, THEN THE OFFEROR MUST CERTIFY TO EITHER (i)(2)(i) OR (i)(2)(ii) BY CHECKING THE APPROPRIATE BLOCK.]

[ ] (i) THE OFFEROR WILL NOT SUPPLY ANY END PRODUCT LISTED IN PARAGRAPH (i)(1) OF THIS PROVISION THAT WAS MINED, PRODUCED, OR MANUFACTURED IN THE CORRESPONDING COUNTRY AS LISTED FOR THAT PRODUCT.

[ ] (ii) THE OFFEROR MAY SUPPLY AN END PRODUCT LISTED IN PARAGRAPH (i)(1) OF THIS PROVISION THAT WAS MINED, PRODUCED, OR MANUFACTURED IN THE CORRESPONDING COUNTRY AS LISTED FOR THAT PRODUCT. THE OFFEROR CERTIFIES THAT IT HAS MADE A GOOD FAITH EFFORT TO DETERMINE WHETHER FORCED OR INDENTURED CHILD LABOR WAS USED TO MINE, PRODUCE, OR MANUFACTURE ANY SUCH END PRODUCT FURNISHED UNDER THIS CONTRACT. ON THE BASIS OF THOSE EFFORTS, THE OFFEROR CERTIFIES THAT IT IS NOT AWARE OF ANY SUCH USE OF CHILD LABOR.

(END OF PROVISION)

ALTERNATE I (APRIL 2002). AS PRESCRIBED IN 12.301(b)(2), ADD THE FOLLOWING PARAGRAPH (c)(11) TO THE BASIC PROVISION:

(11) (COMPLETE IF THE OFFEROR HAS REPRESENTED ITSELF AS DISADVANTAGED IN PARAGRAPH (c)(4) OR (c)(9) OF THIS PROVISION.)

[THE OFFEROR SHALL CHECK THE CATEGORY IN WHICH ITS OWNER-SHIP FALLS]:

- \_\_\_ BLACK AMERICAN
- \_\_\_ HISPANIC AMERICAN
- \_\_\_ NATIVE AMERICAN (AMERICAN INDIAN, ESKIMOS, ALEUTS OR NATIVE HAWAIIANS)
- \_\_\_ ASIAN-PACIFIC AMERICAN (PERSONS WITH ORIGINS FROM BURMA, THAILAND, MALAYSIA, INDONESIA, SINGAPORE, BRUNI, JAPAN, CHINA, TAIWAN, LAOS, CAMBODIA (KAMPUCHEA), VIETNAM, KOREA, THE PHILIPPINES, U.S. TRUST TERRITORY OF THE PACIFIC ISLANDS (REPUBLIC OF PALAU), REPUBLIC OF THE MARSHALL ISLANDS, FEDERATED STATES OF MICRONESIA, THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS, GUAM, SAMOA, MACAO, HONG KONG, FIJI, TONGA, KIRIBATI, TUVALU, OR NAURU)
- \_\_\_ SUBCONTINENT ASIAN (ASIAN-INDIAN) AMERICAN (PERSONS WITH ORIGINS FROM INDIA, PAKISTAN, BANGLADESH, SRI LANKA, BHUTAN, THE MALDIVES ISLANDS OR NEPAL)
- \_\_\_ INDIVIDUAL/CONCERN, OTHER THAN ONE OF THE PRECEDING.

ALTERNATE II (OCT 2000) AS PRESCRIBED IN FAR 12.301(b)(2), ADD THE FOLLOWING PARAGRAPH (c)(9)(iii) TO THE BASIC PROVISION:

(iii) ADDRESS. THE OFFEROR REPRESENTS THAT ITS ADDRESS \_\_\_\_\_ IS, \_\_\_\_\_ IS NOT IN A REGION FOR WHICH A SMALL DISADVANTAGED BUSINESS PROCUREMENT MECHANISM IS AUTHORIZED AND ITS ADDRESS HAS NOT

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CHANGED SINCE ITS CERTIFICATION AS A SMALL DISADVANTAGED BUSINESS CONCERN OR SUBMISSION OF ITS APPLICATION FOR CERTIFICATION AS A SMALL DISADVANTAGED BUSINESS CONCERN OR SUBMISSION OF ITS APPLICATION FOR CERTIFICATION. THE LIST OF AUTHORIZED SMALL DISADVANTAGED BUSINESS PROCUREMENT MECHANISMS AND REGIONS IS POSTED AT <http://www.arnet.gov/References/sdbadjustments.htm>. THE OFFEROR SHALL USE THE LIST IN EFFECT ON THE DATE OF THIS SOLICITATION. "ADDRESS," AS USED IN THIS PROVISION, MEANS THE ADDRESS OF THE OFFEROR AS LISTED ON THE SMALL BUSINESS ADMINISTRATION'S REGISTER OF SMALL DISADVANTAGED BUSINESS CONCERNS OR THE ADDRESS ON THE COMPLETED APPLICATION THAT THE CONCERN HAS SUBMITTED TO THE SMALL BUSINESS ADMINISTRATION OR A PRIVATE CERTIFIER IN ACCORDANCE WITH 13 CFR PART 124, SUBPART B. FOR JOINT VENTURES, "ADDRESS" REFERS TO THE ADDRESS OF THE SMALL DISADVANTAGED BUSINESS CONCERN THAT IS PARTICIPATING IN THE JOINT VENTURE.

FAR 52.212-4 CONTRACT TERMS AND CONDITIONS - COMMERCIAL ITEMS OCT 2003

FAR 52.212-5 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS - COMMERCIAL ITEMS JAN 2004

(a) THE CONTRACTOR SHALL COMPLY WITH THE FOLLOWING FEDERAL ACQUISITION REGULATION (FAR) CLAUSE, WHICH IS INCORPORATED IN THIS CONTRACT BY REFERENCE, TO IMPLEMENT PROVISIONS OF LAW OR EXECUTIVE ORDERS APPLICABLE TO ACQUISITIONS OF COMMERCIAL ITEMS: 52.233-3, PROTEST AFTER AWARD (AUG 1996) 31 U.S.C. 3553).

(b) THE CONTRACTOR SHALL COMPLY WITH THE FAR CLAUSES IN THIS PARAGRAPH (b) WHICH THE CONTRACTING OFFICER HAS INDICATED AS BEING INCORPORATED IN THIS CONTRACT BY REFERENCE TO IMPLEMENT PROVISIONS OF LAW OR EXECUTIVE ORDERS APPLICABLE TO ACQUISITIONS OF COMMERCIAL ITEMS.  
[CONTRACTING OFFICER MUST CHECK AS APPROPRIATE.]

- (1) 52.203-6, RESTRICTIONS ON SUBCONTRACTOR SALES TO THE GOVERNMENT, WITH ALTERNATE I (OCT 1995) (41 U.S.C. 253g AND 10 U.S.C. 2402).
- (2) 52.219-3, NOTICE OF TOTAL HUBZONE SMALL BUSINESS SET-ASIDE (JAN 1999) (15 U.S.C. 657a)
- (3) 52.219-4, NOTICE OF PRICE EVALUATION PREFERENCE FOR HUBZONE SMALL BUSINESS CONCERNS (JAN 1999). (IF THE OFFEROR ELECTS TO WAIVE THE PREFERENCE, IT SHALL SO INDICATE IN ITS OFFER) (15 U.S.C. 657a).
- (4) (i) 52.219-5, VERY SMALL BUSINESS SET-ASIDE (JUNE 2003) (PUB. L. 103-403, SECTION 304, SMALL BUSINESS REAUTHORIZATION AND AMENDMENTS ACT OF 1994).  
  - (ii) ALTERNATE I (MAR 1999) OF 52.219-5
  - (iii) ALTERNATE II (JUNE 2003) OF 52.219-5.
- (5) (i) 52.219-6 NOTICE OF TOTAL SMALL BUSINESS SET-ASIDE (JUNE 2003) (15 U.S.C. 644).  
  - (ii) ALTERNATE I (OCT 1995) OF 52.219.6.
- (6) (i) 52.219-7, NOTICE OF PARTIAL SMALL BUSINESS SET-ASIDE (JUNE 2003) (15 U.S.C. 644).  
  - (ii) ALTERNATE I (OCT 1995) OF 52.219-7.
- (7) 52.219-8, UTILIZATION OF SMALL BUSINESS CONCERNS (OCT 2000) (15 U.S.C. 637(d)(2) AND (3)).
- (8) (i) 52.219-9 SMALL BUSINESS SUBCONTRACTING PLAN (JAN 2002)

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- (15 U.S.C. 637(d) (4).
- (ii) ALTERNATE I (OCT 2001) OF 52.219-9.
- (iii) ALTERNATE II (OCT 2001) OF 52.219-9.
- (9) 52.219-14 LIMITATIONS OF SUBCONTRACTING (DEC 1996)
- (15 U.S.C.637(a) (14)).
- (10) (i) 52.219-23 NOTICE OF PRICE EVALUATION ADJUSTMENT FOR SMALL DISADVANTAGED BUSINESS CONCERNS (JUNE 2003) PUB. L. 103-355, SECTION 7102, AND 10 U.S.C. 2323) (IF OFFEROR ELECTS TO WAIVE THE ADJUSTMENT, IT SHALL SO INDICATE IN ITS OFFER.
- (ii) ALTERNATE I (JUNE 2003) OF 52.219-23.
- (11) 52.219-25 SMALL DISADVANTAGED BUSINESS PARTICIPATION PROGRAM-DISADVANTAGED STATUS AND REPORTING (OCT 1999) (PUB.L. 103-355, SECTION 7102, AND 10 U.S.C. 2323)
- (12) 52.219-26, SMALL DISADVANTAGED BUSINESS PARTICIPATION PROGRAM-INCENTIVE SUBCONTRACTING (OCT 2000) (PUB.L.103-355, SECTION 7102, AND 10 U.S.C.2323)
- X (13) 52.222-3 CONVICT LABOR (JUNE 2003) (E.O. 11755).
- X (14) 52.222-19, CHILD LABOR-COOPERATION WITH AUTHORITIES AND REMEDIES (JAN 2004) (E.O. 13126).
- X (15) 52.222-21, PROHIBITION OF SEGREGATED FACILITIES (FEB 99).
- X (16) 52.222-26, EQUAL OPPORTUNITY (APR 2002) (E.O. 11246).
- X (17) 52.222-35, EQUAL OPPORTUNITY FOR SPECIAL DISABLED VETERANS, VETERANS OF THE VIETNAM ERA, AND OTHER ELIGIBLE VETERANS (DEC 2001) (38.U.S.C. 4212).
- (18) 52.222-36, AFFIRMATIVE ACTION FOR WORKERS WITH DISABILITIES (JUN 1998) (29 U.S.C.793).
- (19) 52.222-37, EMPLOYMENT REPORTS ON SPECIAL DISABLED VETERANS, VETERANS OF THE VIETNAM ERA, AND OTHER ELIGIBLE VETERANS (DEC 2001) (38 U.S.C. 4212)
- (20) (i) 52.223-9, ESTIMATE OF PERCENTAGE OF RECOVERED MATERIAL CONTENT FOR EPA-DESIGNATED PRODUCTS (AUG 2000) (42 U.S.C. 6962(c) (3) (A) (ii)).
- (ii) ALTERNATE I (AUG 2000) OF 52.223-9 (42 U.S.C. 6962(c) (3) (A) (ii)).
- (21) 52.225-1 BUY AMERICAN ACT-SUPPLIES (JUN 2003) (41 U.S.C. 10a-10d).
- (22) (i) 52.225-3, BUY AMERICAN ACT-FREE TRADE AGREEMENTS-ISRAELI TRADE ACT (JAN 2004) (41 U.S.C. 10a-10d, 19 U.S.C. 3301 NOTE, 19 U.S.C. 2112 NOTE, PUB L. 108-77, 108-78).
- (ii) ALTERNATE I (JAN 2004) OF 52.225-3.
- (iii) ALTERNATE II (JAN 2004) OF 52.225-3.
- (23) 52.225-5, TRADE AGREEMENTS (OCT 2003) (19 U.S.C. 2501, es seq., 19 U.S.C. 3301 NOTE).
- X (24) 52.225-13, RESTRICTIONS OF CERTAIN FOREIGN PURCHASES (OCT 2003) (E.o.s, PROCLAMATINS, AND STATUTES ADMINISTERED BY THE OFFICE OF FOREIGN ASSETS CONTROL OF THE DEPARTMENT OF TREASURY).
- (25) 52.225-15, SANCTIONED EUROPEAN UNION COUNTRY END PRODUCTS (FEB 2000) (E.O. 12849).
- (26) 52.225-16 SANCTIONED EUROPEAN UNION COUNTRY SERVICES (FEB 2000) (E.O. 12849).
- (27) 52.232-29 TERMS FOR FINANCING OF PURCHASES OF COMMERCIAL ITEMS (FEB 2002) (41 U.S.C. 255(f), 10 U.S.C. 2307(f)).
- (28) 52.232-30, INSTALLMENT PAYMENTS FOR COMMERCIAL ITEMS (OCT 1995) (41 U.S.C. 255(f), 10 U.S.C. 2307(f)).
- X (29) 52.532-33 PAYMENT BY ELECTRONIC FUNDS TRANSFER-CENTRAL CONTRACTOR REGISTRATION (OCT 2003) (31 U.S.C. 3332).
- (30) 52.232-34, PAYMENT BY ELECTRONIC FUNDS TRANSFER-OTHER THAN CENTRAL CONTRATOR REGISTRATION (MAY 1999) (31U.S.C.3332).

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- \_\_\_ (31) 52.232-36 PAYMENT BY THIRD PARTY (MAY 99) (31 U.S.C. 3332)
- \_\_\_ (32) 52.239-1 PRIVACY OR SECURITY SAFEGUARDS (AUG 98) (5 U.S.C. 522(a)).
- \_\_\_ (33) (i) 52.247-64, PREFERENCE FOR PRIVATELY OWNED U.S. FLAG COMMERCIAL VESSELS (APR 03) (46 U.S.C. APPX 1241 AND 10 U.S.C. 2631.
- \_\_\_ (ii) ALTERNATE I (APRIL 1984) OF 52.247-64

(c) THE CONTRACTOR SHALL COMPLY WITH THE FAR CLAUSES IN THIS PARAGRAPH (c), APPLICABLE TO COMMERCIAL SERVICES, THAT THE CONTRACTING OFFICER HAS INDICATED AS BEING INCORPORATED IN THIS CONTRACT BY REFERENCE TO IMPLEMENT PROVISIONS OF LAW OR EXECUTIVE ORDER APPLICABLE TO ACQUISITIONS OF COMMERCIAL ITEMS:

[CONTRACTING OFFICER CHECK AS APPROPRIATE]

- X (1) 52.222-41 SERVICE CONTRACT ACT OF 1965, AS AMENDED (MAY 1989) (41 U.S.C. 351, et seq.).
- \_\_\_ (2) 52.222-42 STATEMENT OF EQUIVALENT RATES FOR FEDERAL HIRES (MAY 1989) (29 U.S.C. 206 AND 41 U.S.C. 351, et seq.).
- \_\_\_ (3) 52.222-43 FAIR LABOR STANDARDS ACT AND SERVICE CONTRACT ACT-PRICE ADJUSTMENT (MULTIPLE YEAR AND OPTION CONTRACTS) (MAY 1989) (29 U.S.C. 206 AND 41 U.S.C. 351 et seq.).
- \_\_\_ (4) 52.222-44 FAIR LABOR STANDARDS ACT AND SERVICE CONTRACT ACT-PRICE ADJUSTMENT (FEB 2002) (29 U.S.C. 206 AND 41 U.S.C. 351 et seq.).
- \_\_\_ (5) 52.222-47, SCA MINIMUM WAGES AND FRINGE BENEFITS APPLICABLE TO SUCCESSOR CONTRACT PURSUANT TO PREDECESSOR CONTRACTOR COLLECTIVE BARGAINING AGREEMENTS (CBA) (MAY 1989) (41 U.S.C. 351, et seq.).

(d) COMPTROLLER GENERAL EXAMINATION OF RECORD. THE CONTRACTOR SHALL COMPLY WITH THE PROVISIONS OF THIS PARAGRAPH (d) IF THIS CONTRACT WAS AWARDED USING OTHER THAN SEALED BID, IS IN EXCESS OF THE SIMPLIFIED ACQUISITION THRESHOLD, AND DOES NOT CONTAIN THE CLAUSE AT 52.215-2, AUDIT AND RECORDS-NEGOTIATION.

(1) THE COMPTROLLER GENERAL OF THE UNITED STATES OR AN AUTHORIZED REPRESENTATIVE OF THE COMPTROLLER GENERAL SHALL HAVE ACCESS TO AND RIGHT TO EXAMINE ANY OF THE CONTRACTOR'S DIRECTLY PERTINENT RECORDS INVOLVING TRANSACTIONS RELATED TO THIS CONTRACT.

(2) THE CONTRACTOR SHALL MAKE AVAILABLE AT ITS OFFICES ALL REASONABLE TIMES THE RECORDS, MATERIALS, AND OTHER EVIDENCE FOR EXAMINATION, AUDIT, OR REPRODUCTION, UNTIL 3 YEARS AFTER ANY FINAL PAYMENT UNDER THIS CONTRACT OR FOR ANY SHORTER PERIOD SPECIFIED IN FAR SUBPART 4.7, CONTRACTOR RECORDS RETENTION, OF THE OTHER CLAUSES OF THIS CONTRACT. IF THIS CONTRACT IS COMPLETELY OR PARTIALLY TERMINATED, THE RECORDS RELATING TO THE WORK TERMINATED SHALL BE MADE AVAILABLE FOR 3 YEARS AFTER ANY RESULTING FINAL TERMINATION SETTLEMENT. RECORDS RELATING TO APPEALS UNDER THE DISPUTES CLAUSE OR TO LITIGATION OR THE SETTLEMENT OF CLAIMS ARISING UNDER OR RELATING TO THIS CONTRACT SHALL BE MADE AVAILABLE UNTIL SUCH APPEALS, LITIGATION OR CLAIMS ARE FINALLY RESOLVED.

(3) AS USED IN THIS CLAUSE, RECORDS INCLUDE BOOKS, DOCUMENTS, ACCOUNTING PROCEDURES AND PRACTICES, AND OTHER DATA, REGARDLESS OF TYPE AND REGARDLESS OF FORM. THIS DOES NOT REQUIRE THE CONTRACTOR TO CREATE OR MAINTAIN ANY RECORD THAT THE

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CONTRACTOR DOES NOT MAINTAIN IN THE ORDINARY COURSE OF BUSINESS OR PURSUANT TO A PROVISION OF LAW.

(e) (1) NOTWITHSTANDING THE REQUIREMENTS OF THE CLAUSES IN PARAGRAPHS (a), (b), (c), AND (d) OF THIS CLAUSE, THE CONTRACTOR IS NOT REQUIRED TO FLOW DOWN ANY FAR CLAUSE, OTHER THAN THOSE IN PARAGRAPHS (i) THROUGH (vi) OF THIS PARAGRAPH IN A SUBCONTRACT FOR COMMERCIAL ITEMS. UNLESS OTHERWISE INDICATED BELOW, THE EXTENT OF THE FLOW DOWN SHALL BE AS REQUIRED BY THE CLAUSE-

(i) 52.219-8 UTILIZATION OF SMALL BUSINESS CONCERNS (OCT 2000) (15 U.S.C. 637(d)(2) AND (3)), IN ALL SUBCONTRACTS THAT OFFER FURTHER SUBCONTRACTING OPPORTUNITIES. IF THE SUBCONTRACT (EXCEPT SUBCONTRACTS TO SMALL BUSINESS CONCERNS) EXCEEDS \$5,000,000 (\$1,000,000 FOR CONSTRUCTION OF ANY PUBLIC FACILITY), THE SUBCONTRACTOR MUST INCLUDE 52.219-8 IN LOWER TIER SUBCONTRACTS THAT OFFER SUBCONTRACTING OPPORTUNITIES.  
(ii) 52.222-26, EQUAL OPPORTUNITY (APR 02) (E.O. 11246).  
(iii) 52.222-35, EQUAL OPPORTUNITY FOR SPECIAL DISABLED VETERANS, VETERANS OF VIETNAM ERA, AND OTHER ELIGIBLE VETERANS (DEC 2001) (38 U.S.C. 4212).  
(iv) 52.222-36 AFFIRMATIVE ACTION FOR WORKERS WITH DISABILITIES (JUNE 1998) (29 U.S.C. 793).  
(v) 52.222-41 SERVICE CONTRACT ACT OF 1965, AS AMENDED (MAY 1989), FLOW DOWN REQUIRED FOR ALL SUBCONTRACTS SUBJECT TO THE SERVICE CONTRACT ACT OF 1965 (41 U.S.C. 351, et seq).  
(vi) 52.247-64 PREFERENCE FOR PRIVATELY OWNED U.S. FLAG COMMERCIAL VESSELS (APR 2003) (46 U.S.C. APPX 1241 AND 10 U.S.C. 2631). FLOW DOWN REQUIRED IN ACCORDANCE WITH PARAGRAPH (d) OF FAR CLAUSE 52.247-64.

(2) WHILE NOT REQUIRED, THE CONTRACTOR MAY INCLUDE IN ITS SUBCONTRACTS FOR COMMERCIAL ITEMS A MINIMAL NUMBER OF ADDITIONAL CLAUSES NECESSARY TO SATISFY ITS CONTRACTUAL OBLIGATIONS.

(END OF CLAUSE)

ALTERNATE I (FEB 2000) AS PRESCRIBED IN 12.301(b)(4), DELETE PARAGRAPH (d) FROM THE BASIC CLAUSE, REDESIGNATE PARAGRAPH (e) AS PARAGRAPH (d), AND REVISE THE REFERENCE TO "PARAGRAPHS (a), (b), (c) OR (d) OF THIS CLAUSE" IN THE REDESIGNATED PARAGRAPH (d) TO READ "PARAGRAPHS (a), (b), AND (c) OF THIS CLAUSE".

DFARS 252.212-7001 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS APPLICABLE TO DEFENSE ACQUISITIONS OF COMMERCIAL ITEMS JAN 2004

(a) THE CONTRACTOR AGREES TO COMPLY WITH THE FOLLOWING FEDERAL ACQUISITION REGULATION (FAR) CLAUSE WHICH, IF CHECKED, IS INCLUDED IN THIS CONTRACT BY REFERENCE TO IMPLEMENT A PROVISION OF LAW APPLICABLE TO ACQUISITIONS OF COMMERCIAL ITEMS OR COMPONENTS.

\_\_\_ 52.203-3 GRATUITIES (APR 1984) (10 U.S.C. 2207)

(b) THE CONTRACTOR AGREES TO COMPLY WITH ANY CLAUSE THAT IS CHECKED ON THE FOLLOWING LIST OF DEFENSE FAR SUPPLEMENT CLAUSES WHICH, IF CHECKED, IS INCLUDED IN THIS CONTRACT BY REFERENCE TO IMPLEMENT PROVISIONS OF LAW OR EXECUTIVE ORDERS APPLICABLE TO

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ACQUISITIONS OF COMMERCIAL ITEMS OR COMPONENTS.

- 252.205-7000 PROVISION OF INFORMATION TO COOPERATIVE AGREEMENT HOLDERS (DEC 1991) (10 U.S.C. 2416)
  - 252.219-7003 SMALL, SMALL DISADVANTAGED AND WOMEN-OWNED SMALL BUSINESS SUBCONTRACTING PLAN (DOD CONTRACTS) (APRIL 1996) (15 U.S.C. 637)
  - 252.219-7004 SMALL, SMALL DISADVANTAGED AND WOMEN-OWNED SMALL BUSINESS SUBCONTRACTING PLAN (TEST PROGRAM) (JUN 1997) (15 U.S.C. 637 NOTE)
  - X — 252.225-7001 BUY AMERICAN ACT AND BALANCE OF PAYMENTS PROGRAM (APR 2003) (41 U.S.C. 10a-10d, E.O. 10582)
  - 252.225-7012 PREFERENCE FOR CERTAIN DOMESTIC COMMODITIES (FEB 2003) (10 U.S.C. 2533a)
  - 252.225-7014 PREFERENCE FOR DOMESTIC SPECIALTY METALS (APR 2003) (10 U.S.C. 2533a)
  - 252.225-7015 RESTRICTION ON ACQUISITION OF HAND OR MEASURING TOOLS (APR 2003) (10U.S.C. 2533a).
  - 252.225-7016 RESTRICTION ON ACQUISITION OF BALL AND ROLLER BEARINGS (APR 2003) (ALTERNATE I) (APR 2003) (10U.S.C. 2534 AND SECTION 8099 OR PUB.L. 104-61 AND SIMILAR SECTIONS IN SUBSEQUENT DOD APPROPRIATIONS ACTS.)
  - 252.225-7021 TRADE AGREEMENTS (JAN 2004) (19U.S.C. 2501-2518 AND 19U.S.C 3301 NOTE)
  - 252.225-7027 RESTRICTION ON CONTINGENT FEES FOR FOREIGN GOVERNMENTS (APR 2003) (22U.S.C. 2779)
  - 252.225-7028 EXCLUSIONARY POLICIES AND PRACTICES OF FOREIGN GOVERNMENTS (APR 2003) (22U.S.C. 2755).
  - 252.225-7036 BUY AMERICAN ACT-FREE TRADE AGREEMENTS-BALANCE OF PAYMENTS PROGRAM (JAN 2004) (ALTERNATE I) (JAN 2004) (41 U.S.C. 10a-10d AND 19 U.S.C.3301 NOTE).
  - 252.225-7038 RESTRICTION ON ACQUISITION OF AIR CIRCUIT BREAKERS (APR 2003) (10 U.S.C. 2534(a)(3)).
  - 252.266-7001 UTILIZATION OF INDIAN ORGANIZATIONS, INDIAN-OWNED ENTERPRISES, AND NATIVE HAWAIIAN SMALL BUSINESS CONCERNS (OCT 2003) (SECTION 8021 OF PUB. L. 107-248).
  - 252.227-7015 TECHNICAL DATA-COMMERCIAL ITEMS (NOV 1995) (10 U.S.C. 2320).
  - 252-227-7037 VALIDATION OF RESTRICTIVE MARKINGS ON TECHNICAL DATA (SEP 1999) (10.U.S.C. 2227).
  - 252.232.7003 ELECTRONIC SUBMISSION OF PAYMENT REQUESTS (DEC 2003) (10 U.S.C. 2227)
  - 252.243.7002 REQUESTS FOR EQUITABLE ADJUSTMENT (MAR 1998) (10 U.S.C. 2410).
  - X — 252.247-7023 TRANSPORTATION OF SUPPLIES BY SEA (MAY 2002) (ALTERNATE I) (MAR 2000) (ALTERNATE II) (MAR 2000) (ALTERNATE III) (MAY 2002) (10 U.S.C. 2631).
  - 252.247-7024 NOTIFICATION OF TRANSPORTATION OF SUPPLIES BY SEA (MAR 2000) (10 U.S.C. 2631)
- (c) IN ADDITION TO THE CLAUSES LISTED IN PARAGRAPH (e) OF THE CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS-COMMERCIAL ITEMS CLAUSE OF THIS CONTRACT (FAR 52.212-5), THE CONTRACTOR SHALL INCLUDE THE TERMS OF THE FOLLOWING CLAUSES, IF APPLICABLE, IN SUBCONTRACTS FOR COMMERCIAL ITEMS OR COMMERCIAL COMPONENTS, AWARDED AT ANY TIER UNDER THIS CONTRACT.
- 252.225.7014 PREFERENCE FOR DOMESTIC SPECIALTY METALS, ATERNATE I (APR 2003) (10U.S.C. 2533a).
  - 252.247-7023 TRANSPORTATION OF SUPPLIES BY SEA (MAY 2002) (10 U.S.C. 2631).

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VENDOR:

SECTION C DESCRIPTION/SPECIFICATIONS

252.247-7024 NOTIFICATION OF TRANSPORTATION OF SUPPLIES BY  
SEA (MAR 2000) (10 U.S.C. 2631).

(END OF CLAUSE)

DFARS 252.204-7004 REQUIRED CENTRAL CONTRACTOR REGISTRATION  
ALTERNATE A (NOV 2003)

NOV 2003

(a) DEFINITIONS. AS USED IN THIS CLAUSE-

"CENTRAL CONTRACTOR REGISTRATION (CCR) DATABASE" MEANS THE  
PRIMARY GOVERNMENT REPOSITORY FOR CONTRACTOR INFORMATION REQUIRED  
FOR THE CONDUCT OF BUSINESS WITH THE GOVERNMENT.

"COMMERCIAL AND GOVERNMENT ENTITY (CAGE) CODE MEANS-

(1) A CODE ASSIGNED BY THE DEFENSE LOGISTICS INFORMATION  
SERVICE (DLIS) TO IDENTIFY A COMMERCIAL OR GOVERNMENT ENTITY; OR

(2) A CODE ASSIGNED BY A MEMBER OF THE NORTH AMERICAN  
TRADE ORGANIZATION THAT DLIS RECORDS AND MAINTAINS IN THE CAGE  
MASTER FILE. THIS TYPE OF CODE IS KNOWN AS AN "NCAGE CODE."  
"DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER" MEANS THE  
9-DIGIT NUMBER ASSIGNED BY DUN AND BRADSTREET, INC. (D&B) TO  
IDENTIFY UNIQUE BUSINESS ENTITIES.

"DATA UNIVERSAL NUMBERING SYSTEM +4 (DUNS+4) NUMBER" MEANS THE  
THE DUNS NUMBER ASSIGNED BY D&B PLUS A 4-CHARACTER SUFFIX  
THAT MAY BE ASSIGNED BY A BUSINESS CONCERN. (D&B HAS NO  
AFFILIATION WITH THIS 4-CHARACTER SUFFIX.) THIS 4-CHARACTER  
SUFFIX MAY BE ASSIGNED AT THE DISCRETION OF THE BUSINESS CONCERN  
TO ESTABLISH ADDITIONAL CCR RECORDS FOR IDENTIFYING ALTERNATE  
ELECTRONIC FUNDS TRANSFER (EFT) ACCOUNTS (SEE SUBPART 32.11 OF  
FEDERAL ACQUISITION REGULATION) FOR THE SAME PARENT CONCERN.

"REGISTERED IN THE CCR DATABASE" MEANS THAT-

(1) THE CONTRACTOR HAS ENTERED ALL MANDATORY INFORMATION  
INCLUDING THE DUNS NUMBER OR THE DUNS+4 NUMBER, INTO THE  
THE CCR DATABASE.

(2) THE CONTRACTOR'S CAGE CODE IS IN THE CCR DATABASE; AND

(3) THE GOVERNMENT HAS VALIDATED ALL MANDATORY DATA  
FIELDS AND HAS MARKED THE RECORDS AS "ACTIVE."

FAR 52.204-6 DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER

OCT 2003

SECTION F TIME OF DELIVERY

DELIVERIES SHALL BE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS

ITEM	QUANTITY	DELIVERY REQUIRED
0001	26 EA	04-APR-14

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VENDOR:

SECTION L INSTRUCTIONS AND CONDITIONS

SUP 5252.213-9401 NOTICE TO PROSPECTIVE SUPPLIERS

APR 1997

(A) THIS PROCUREMENT IS SUBJECT TO THE NAVY'S RED/YELLOW/GREEN (RYG) PROGRAM. RYG IS AUTHORIZED BY THE ASSISTANT SECRETARY OF THE NAVY (RESEARCH, DEVELOPMENT, AND ACQUISITION) FOR USE IN THE ACQUISITION OF SUPPLIES AND SERVICES USED TO BUILD, MAINTAIN AND OPERATE THE FLEET.

(B) THE GOVERNMENT RESERVES THE RIGHT TO AWARD TO THE SUPPLIER WHOSE QUOTE REPRESENTS THE BEST VALUE TO THE GOVERNMENT. AS, SUCH, THE BASIS FOR AWARD WILL INCLUDE AN EVALUATION OF EACH SUPPLIER'S PAST PERFORMANCE HISTORY FOR THE FEDERAL SUPPLY CLASS(ES) OR SERVICE CODE(S) (FSCs) OF THE SUPPLIES AND SERVICES BEING PURCHASED. THE PRICE TO BE CONSIDERED IN DETERMINING BEST VALUE WILL BE THE EVALUATED PRICE AFTER APPLICATION OF TECHNICAL EVALUATION ADJUSTMENTS (TEAS).

(C) THE PROCEDURES DESCRIBED IN THE CLAUSE ENTITLED, "ADDITIONAL EVALUATION FACTOR FOR CONSIDERATION OF PAST PERFORMANCE - NAVY RED/YELLOW/GREEN PROGRAM (APR 1997)", WILL BE USED TO ASSIST IN DETERMINING BEST VALUE FOR THE GOVERNMENT.

SUP 5252.213-9402

ADDITIONAL EVALUATION FACTOR FOR CONSIDERATION OF PAST PERFORMANCE - NAVY RED/YELLOW/GREEN PROGRAM

APR 1997

(A) THIS PROCUREMENT IS SUBJECT TO THE NAVY'S RED/YELLOW/GREEN (RYG) PROGRAM, AUTHORIZED BY THE ASSISTANT SECRETARY OF THE NAVY (RESEARCH, DEVELOPMENT AND ACQUISITION) FOR USE BY PARTICIPATING ACTIVITIES DURING THE ACQUISITION OF SUPPLIES AND SERVICES USED TO BUILD, MAINTAIN, AND OPERATE THE FLEET.

(B) THE PURPOSE OF RYG IS TO ASSIST CONTRACTING PERSONNEL DURING SOURCE SELECTION TO DETERMINE THE BEST VALUE FOR THE GOVERNMENT. THE PROGRAM USES ACCUMULATED SUPPLIER BEST PERFORMANCE DATA TO CLASSIFY EACH SUPPLIER'S PERFORMANCE BY FEDERAL SUPPLY CLASS(ES) OR SERVICE CODE(S) (FSCs) AS EITHER RED (HIGH RISK), YELLOW (MODERATE RISK), GREEN (LOW RISK) OR NEUTRAL (NO RISK ESTABLISHED).

(C) TO ASSIST IN SOURCE SELECTION, A MONETARY ASSESSMENT IN THE FORM OF A TECHNICAL EVALUATION ADJUSTMENT (TEA) IS ADDED TO EACH SUPPLIER'S QUOTE HAVING A RED OR YELLOW CLASSIFICATION FOR THE FSC INVOLVED. THE DOLLAR AMOUNT OF THE RED OR YELLOW TEA ASSESSMENT IS BASED ON THE COST TO THE GOVERNMENT OF EFFECTING ADDITIONAL ACTIONS REQUIRED TO ASSURE PERFORMANCE BY A SUPPLIER WITH AN UNSATISFACTORY PERFORMANCE HISTORY FOR THE FSC(s) INVOLVED. NO TEA IS ASSESSED FOR A SUPPLIER HAVING EITHER A GREEN OR NEUTRAL FSC RYG CLASSIFICATION. FOR PURPOSES OF THE RYG PROGRAM, A NEUTRAL CLASSIFICATION IS ASSIGNED TO SUPPLIERS WHO ARE FIRST TIME QUOTERS TO THE GOVERNMENT

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VENDOR:

SECTION L INSTRUCTIONS AND CONDITIONS

FOR THE FSC(s) INVOLVED, SUPPLIERS OTHERWISE HAVING NO PERFORMANCE DATA IN THE RYG DATABASE FOR THE FSC(s) INVOLVED, AND SUPPLIERS WHOSE PAST PERFORMANCE DATA IN THE RYG DATABASE FOR THE FSC(s) INVOLVED ARE OVER THREE YEARS OLD. AFTER CONSIDERATION OF ANY OTHER PERTINENT, PRICE-RELATED FACTORS (E.G., TRANSPORTATION CHARGES, FIRST ARTICLE TESTING, DISCOUNT TERMS), THE ADJUSTED PRICE BECOMES THE BASIS FOR DETERMINING AWARD. A SUPPLIER'S RYG CLASSIFICATION MAY CHANGE OVER TIME AS NEW OR REVISED PERFORMANCE DATA BECOMES AVAILABLE.

(D) RYG CLASSIFICATIONS ARE SUMMARIZED AS FOLLOWS:

(1) GREEN IS LOW RISK. NO PERFORMANCE ASSURANCE ACTIONS ARE CONSIDERED NECESSARY. NO TEA WILL BE ASSESSED.

(2) YELLOW IS MODERATE RISK. ADDITIONAL PERFORMANCE ASSURANCE ACTIONS ARE CONSIDERED NECESSARY. A TEA WILL BE APPLIED TO THE PROSPECTIVE SUPPLIER'S PRICE TO REFLECT THE GOVERNMENT'S ESTIMATED ADDITIONAL COSTS.

(3) RED IS HIGH RISK. SIGNIFICANT ADDITIONAL PERFORMANCE ASSURANCE REQUIREMENTS ARE CONSIDERED NECESSARY. A TEA WILL BE APPLIED TO THE PROSPECTIVE SUPPLIER'S PRICE TO REFLECT THE GOVERNMENT'S ESTIMATED ADDITIONAL COSTS.

(4) NEUTRAL IS NO RISK ESTABLISHED. NO TEA IS ASSESSED; NEVERTHELESS, ADDITIONAL PERFORMANCE ASSURANCE REQUIREMENTS MAY BE CONSIDERED NECESSARY TO ASSURE QUALITY AND ON-TIME DELIVERY.

(E) RYG CLASSIFICATIONS FOR ALL APPLICABLE FSCs ARE ESTABLISHED MONTHLY FOR EACH SUPPLIER AND PROVIDED TO THEM. SUPPLIERS MAY ADDRESS QUESTIONS ABOUT THEIR FSC RYG CLASSIFICATIONS TO THE NAVAL SEA SYSTEMS COMMAND DETACHMENT, NAVAL MATERIAL QUALITY ASSESSMENT OFFICE (NMQAO), FEDERAL BUILDING, ROOM 400, 80 DANIEL STREET, PORTSMOUTH, NH 03801-3884, TELEPHONE (603)431-9460, EXT 464. SUPPLIERS MAY ALSO ASSESS THEIR INDIVIDUAL FSC RYG CLASSIFICATIONS THROUGH THE AUTOMATED VENDOR ACCESS PROGRAM. TO OBTAIN AUTOMATED ACCESS, WRITTEN REQUESTS MUST BE SUBMITTED ON COMPANY LETTERHEAD TO NMQAO AT THE ADDRESS ABOVE. THE REQUEST MUST INCLUDE THE REQUESTOR'S NAME, TITLE, COMPANY NAME, ADDRESS, TELEPHONE NUMBER AND CONTRACTOR AND GOVERNMENT ENTITY (CAGE) CODE. THE CAGE CODE IS MANDATORY. IN RESPONSE, NMQAO WILL PROVIDE EACH SUPPLIER, WITHOUT CHARGE, WITH AN INDIVIDUAL PASSWORD, ALL REQUIRED SOFTWARE, AND INFORMATION ON ACCESSING ITS INDIVIDUAL DATA. ADDITIONAL INFORMATION ON THE AUTOMATED VENDOR ACCESS PROGRAM IS AVAILABLE BY CALLING (603)431-9460, EXT 464.

INSPECTION AND ACCEPTANCE SHALL BE MADE AT DESTINATION BY A REPRESENTATIVE OF THE GOVERNMENT.

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VENDOR:

ANY CONTRACT AWARDED AS A RESULT OF THIS SOLICITATION WILL BE        DX RATED ORDER; XX DO RATED ORDER CERTIFIED FOR NATIONAL DEFENSE USE UNDER THE DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM (DPAS) (15 CFR 700), AND THE CONTRACTOR WILL BE REQUIRED TO FOLLOW ALL OF THE REQUIREMENTS OF THIS REGULATION.

FAR 52.222-41 SERVICE CONTRACT ACT OF 1965, AS AMENDED MAY 1989

FAR 52.222-42 STATEMENT OF EQUIVALENT RATES FOR FEDERAL HIRES MAY 1989

IN COMPLIANCE WITH THE SERVICE CONTRACT ACT OF 1965, AS AMENDED, AND THE REGULATIONS OF THE SECRETARY OF LABOR (29 CFR PART 4), THIS CLAUSE IDENTIFIES THE CLASSES OF SERVICE EMPLOYEES EXPECTED TO BE EMPLOYED UNDER THE CONTRACT AND STATES THE WAGES AND FRINGE BENEFITS PAYABLE TO EACH IF THEY WERE EMPLOYED BY THE CONTRACTING AGENCY SUBJECT TO THE PROVISIONS OF 5 U.S.C. 5341 OR 5332. THIS STATEMENT IS FOR INFORMATION ONLY: IT IS NOT A WAGE DETERMINATION.

EMPLOYEE CLASS	MONETARY WAGE - FRINGE BENEFITS
ENVIRONMENTAL TECHNICIAN	<u>          \$20.06          </u>
HEAVY EQUIPMENT OPERATOR	<u>          \$22.54          </u>
MEDIUM TRUCK DRIVER	<u>          \$14.34          </u>
LABORER	<u>          \$12.68          </u>

FAR 52.237-2 PROTECTION OF GOVERNMENT BUILDINGS, EQUIPMENT AND VEGETATION APR 1984

STATEMENT OF WORK  
(3/14/04)

1. DESCRIPTION OF WORK. The contractor shall pick up, transport, and dispose of lithium contaminated materials generated by Naval Undersea Warfare Center (NUWC) Division, Keyport, Washington. Description of materials is as follows:

- a. 25 30-gallon drums containing expended MK 50 boilers.
- b. 4 30-gallon drums containing lithium contaminated hardware (tailcone, turbine gearbox, condenser, and hotwell)
- c. 1 96-gallon (overpack) drum containing MK 2 False Target Cans (Mod 0 and 1)

2. PICKUP DATE: NLT 14 April 2004

3. ENVIRONMENTAL PERMITS AND LICENSES. Contractor shall possess an Environmental Protection Agency (EPA) permits or licenses, and is authorized to receive, handle, transport, and treat/recycle or dispose of hazardous waste in accordance with Federal, State, and local laws/regulations.

4. CONTRACTOR TECHNICAL QUALIFICATION/APPROVAL. Contractor is required to submit a technical proposal consisting of no more than two (8 inch X 11 inch) pages, that details its technical approach to the treatment, recycling, and/or disposal of expended boilers and lithium contaminated hardware including information on the facility that will be utilized. The technical proposal will be reviewed and evaluated for technical acceptability.

Contractors who have had previous contract with NUWC Keyport involving successful treatment, recycling, and/or disposal of boilers and/or lithium contaminated hardware are exempt from this requirement. These contractors will be deemed approved and authorized to treat, recycle, or dispose expended boilers and lithium contaminated hardware, and are not required to submit a written technical proposal.

5. \*METHOD OF TREATMENT/DISPOSAL. Acceptable and approved processes for treatment/recycling or disposal of lithium contaminated materials include the following:

- a. Safe activation of ALCLO (if required)
- b. Freezing
- c. Shearing
- d. Cutting using band saw
- e. Pulverization using hammermill
- f. Hydrolysis
- g. Incineration

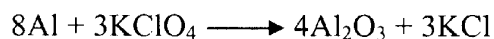
\*Notes: 1. Open burning/detonation of MK 50 boiler is not approved.

2. Specific process not identified above shall require approval from NUWC Keyport (Code 451) on a case-by-case basis.

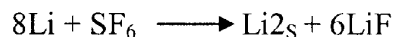
## 6. TECHNICAL INFORMATION

### A. EXPENDED MK 50 BOILERS

Each boiler was initially filled with 15.8 pounds of lithium and contained 4.27 pounds of ALCLO (a mixture of aluminum and potassium perchlorate). During in-water run (or testing) of MK 50 torpedo, a squib would ignite the ALCLO and its ignition would yield approximately 2.76 pounds of aluminum oxide and 1.51 pounds of potassium chloride. The balance chemical reaction is:



Also, the ignition of ALCLO, would instantaneously produced heat, which start melting the lithium in the boiler. At this point, sulfurhexafluoride ( $\text{SF}_6$ ), a non-flammable gas, would start entering the boiler, reacting with the lithium and producing high temperature ( $1795^\circ\text{F}$ ) energy which is required to produce steam necessary to run the turbine engine and propel the torpedo. The primary products of the reaction of lithium with sulfurhexafluoride ( $\text{SF}_6$ ) are lithium sulfide ( $\text{Li}_2\text{S}$ ) and lithium fluoride ( $\text{LiF}$ ) as shown by chemical reaction below:



Therefore, in addition to the ALCLO products, an expended boiler will contain pockets of unreacted lithium, and large amount of by-products (lithium sulfide and lithium fluoride). Within the boiler, the unreacted lithium and by-products are randomly and irregularly stratified. When contacted with water, lithium metal reacts vigorously to produce lithium hydroxide, hydrogen gas, and heat. Depending on the amount of lithium metal, the heat evolved may be great enough to ignite the hydrogen gas if mixed with air. Lithium sulfide will react with water to form some hydrogen sulfide gas, and lithium hydrosulfide salts. Lithium fluoride is inert to reaction with water and is practically insoluble in water (approximately 0.13 gm/100 ml).

Varying amounts of unreacted lithium and by-products (lithium sulfide and lithium fluoride) will be found in the expended boilers. The exact amount of each depends upon the utilization (percent of the initial lithium fuel load that has been reacted) which varies from boiler to boiler. The table below gives the amount (in pounds) of lithium and primary products for utilizations of 20%, 50%, and 80%. For other utilizations the amounts can be estimated by interpolation from this table:

Compound	20% utilization weight (lbs)	50% utilization weight (lbs)	80% utilization weight (lbs)
Li	12.64	7.90	3.16
Li <sub>2</sub> S	2.61	6.54	10.46
LiF	8.86	22.15	35.43
Total	24.11	36.59	49.05

#### B. LITHIUM CONTAMINATED HARDWARE

Lithium contaminated hardware (consisting of a torpedo tailcone/ turbine gearbox and condenser/hotwell) is generated during a torpedo exercise run. On occasion, during torpedo exercise run, a boiler would malfunction, thereby allowing molten lithium and lithium by-products to escape from the boiler and contaminating other torpedo parts such as the aforementioned tailcone/gearbox and condenser/hotwell.

#### C. MK 2 FALSE TARGET CAN CONTAINING LITHIUM HYDRIDE

The MK 2 False Target Can comes in two different types. The Type I (Mod 0) can contains nine (9) canisters; whereas, the Type II (Mod 1) can contains 28 canisters. There are a total of 22 cans of False Target, two of which are Mod 0 and 20 cans are Mod 1. Each canister contains a mass of lithium hydride compound, which is a mixture of lithium hydride, isopropyl naphthalene sodium sulfonate, and paraffin (wax). All the cans are packaged in one 96-gallon overpack drum and total weight is about 280 pounds.

In service, the can is opened by means of tear strips provided at both ends of the can. The canisters are loaded manually into a special ejecting apparatus, which then propels them into the water. Each canister when submerged in water for a period of 10 minutes, it is estimated it would evolve about 226 liters (about 8 ft<sup>3</sup>) of hydrogen gas.

7. DISPOSAL AT FOREIGN COUNTRY. Offerors will not dispose nor perform treatment of hazardous waste (MK 50 boilers) identified in this Statement of Work in any foreign country EXCEPT as follows: Contractors may be allowed, in a case by case basis, to ship hazardous waste to Canada for treatment or disposal provided contractors comply with EPA regulations. These regulations include exporting hazardous waste (Subject E) with regard to notification of intent to export, special manifest requirements, receipt of

EPA Acknowledgement of Consent to export, etc. Moreover, contractor must also comply with the Canadian environmental laws and regulations when exporting to and treating/disposing hazardous waste within Canada.

8. SHIPPING CONTAINERS. Each expended MK 50 boiler and lithium-contaminated hardware is packaged in 30-gallon Performance Oriented Packaging Standards (POPS) container in accordance with Department of Transportation (DOT) regulations.

9. GOVERNMENT PERSONNEL INVOLVEMENT. Government personnel involvement during pickup shall be limited to forklift truck operation to load containers containing hazardous waste onto the truck/trailer. An exception is for Government personnel to lend aid in an emergency situation.

10. TRUCK TRAILER REQUIREMENTS. The truck trailer (van trailer) used to transport containers containing boilers/hardware shall be Department of Transportation (DOT) approved. Containers shall be positively secured on trailers.

11. HEALTH AND SAFETY. During pickup, the contractor must perform all operations in a prudent, conscientious, safe and professional manner. Contractor shall ensure that all personnel involved in handling hazardous waste (expended boiler/hardware) be trained for the level of expertise required for proper performance of the task. Handling and personnel protective equipment shall be provided by the contractor and must be appropriate to ensure safe handling of the hazardous waste. The Contractor agrees that his personnel and equipment are subject to safety inspections by Government personnel while on Federal property. The truck drivers transporting hazardous waste shall be knowledgeable of health and safety information pertaining to the waste. The Contractor shall ensure that necessary training per occupational Safety and Health Administration (OSHA) Code of Federal Regulations (CFR) 29 Part 1910.120 and Environmental Protection Agency CFR 40 Part 264.16 is provided to contractor and subcontractor employees.

Three areas that are deemed necessary for training of contractor personnel include equipment operation, emergency spill response, and knowledge of waste safety and health data.

12. INSPECTION OF EQUIPMENT. Upon arrival at the activity, government personnel shall inspect contractor's trailer, and other associated equipment for adequacy prior to and after loading of waste. Deficiencies rendering the truck unsafe may be cause of refusal. Trucks will not be allowed to pick up hazardous waste until such deficiencies have been corrected. Any costs associated with refusal will not be borne by the Government.

13. USE OF SUBCONTRACTOR. The contractor shall not employ the services of any subcontractor, including transporters and treatment, storage, and disposal facilities without prior approval of Contracting officer. The Navy reserves the rights to prohibit the contractor from employing the services of subcontractors which do not satisfactorily perform in accordance with the contract requirements.

14. TREATMENT OR DISPOSAL REPORT. Per Department of Defense (DOD) regulations, each boiler and lithium contaminated hardware must be destroyed or demilitarized. As proof that all boilers and hardware have been satisfactorily destroyed or demiled, contractor is required to submit a Certificate of Disposal (COD) or Certificate of Recycling (COR) to NUWC Keyport. Also, COR or COD must be submitted with the invoice and copy of fully executed Uniform Hazardous Waste Manifest to NUWC Keyport (Attention Code 451) for payment. At a minimum, the COD or COR must contain the following information:

- a. Name of treatment/disposal facility
- b. EPA identification number of treatment/disposal facility
- c. Address of treatment/disposal facility
- d. Method of disposal/treatment
- e. Date boilers/hardware were received at the facility
- f. Date boilers/hardware were disposed/treated
- g. Serial number of boilers
- h. Drum number of each boiler and hardware

Note: Payment of invoices may be held in abeyance (NUWC Keyport Code 451) until receipt of COD or COR.

**BOILERS**

Drum #	Serial #	TREGNO	WIT	Nomenclature	Test Data	NALC	Remarks
1 3182-11	40059	10477	14552	Spent Lithium Boiler	Tested 2/22/03 (PMRF)	CWJF	RAP
2 3182-12	40055	10074	14552	Spent Lithium Boiler	Tested 2/20/03 (T+1000)	CWJF	
3 3182-13	10915	10284	14552	Spent Lithium Boiler	Tested 1/27/03 (AUTEC)	5W16	RAP
4 3204-12	40077	20079	14552	Spent Lithium Boiler	Tested 5/22/03 (T+270)	CWJF	
5 3204-13	40124	10083	14552	Spent Lithium Boiler	Tested 2/19/03 (PMRF)	CWJF	Early shutdown
6 3204-14	10947	10061	14552	Spent Lithium Boiler	Tested 10/10/02 (T+803)	5W16	
7 3204-15	10990	10662	14552	Spent Lithium Boiler	Tested 5/21/03 (T+834)	5W16	
8 3262-26	11844	10658	14552	Spent Lithium Boiler	Tested 5/21/03 (T+736)	5W16	
9 3262-27	40100	20077	14552	Spent Lithium Boiler	Tested 5/21/03 (T+374)	CWJF	
10 3262-28	10889	10668	14552	Spent Lithium Boiler	Tested 6/25/03 (AUTEC)	5W16	Early shutdown
11 3262-29	10802	10635	14552	Spent Lithium Boiler	Tested 6/10/03 (T+185)	5W16	
12 3262-30	10974	10451	14552	Spent Lithium Boiler	Tested 6/8/03 (T+221)	5W16	
13 3262-31	40113	10203	14552	Spent Lithium Boiler	Tested 5/23/03 (T+344)	CWJF	
14 3262-32	10732	10206	14552	Spent Lithium Boiler	Tested 5/23/03 (T+ 985)	5W16	
15 3192-12	40056	10300	14552	Spent Lithium Boiler	Tested 3/21/03 (T+773)	CWJF	Breached boiler 15 secs after EOR
16 3192-11	40014	10954	15128	Spent Lithium Boiler	Ran full term	CWJF	Breached boiler ( in Condenser Shell)
17 3192-14	40015	10951	15128	Spent Lithium Boiler	Early shutdown and sank	CWJF	Breached boiler ( in Condenser Shell)
18 4013-11	40553	NA	14552	Spent Lithium Boiler	R&D	CWJF	From Newport
19 4013-12	40638	NA	14552	Spent Lithium Boiler	R&D	CWJF	From Newport
20 4013-13	40677	NA	14552	Spent Lithium Boiler	R&D	CWJF	From Newport
21 4027-33	2A022	NA	14552	Spent Lithium Boiler	X-rayed	No NALC	From Toxco
22 4028-14	40057	10481	14552	Spent Lithium Boiler	Tested 9/2/03 (667)	CWJF	
23 4028-15	12252	20119	14552	Spent Lithium Boiler	Tested 11/19/03 (780)	CWDM	
24 4056-11	11386	10469	14552	Spent Lithium Boiler	Tested 11/20/03 (471)	5W16	
25 4062-25	11381	20109	14552	Spent Lithium Boiler		5W16	

**LITHIUM CONTAMINATED HARDWARE**

Drum #	Serial #	TREGNO	WIT	Nomenclature	Test Data	NALC	Remarks
1 3192-13	NA	10300	16951	Li Cont. Hardware	Breaching 15 secs after EOR	NA	Tailcone & Turbine Gearbox
2 3195-12	NA	10300	15129	Li Cont. Hardware	Breaching 15 secs after EOR	NA	Condenser & Hotwell
3 3350-20	NA		15129	Li Cont. Hardware		NA	Tailcone, and turbine gearbox
4 3350-17	NA		15129	Li Cont. Hardware		NA	Bulkhead cable, hotwell, desuperheater, and condenser assy.